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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/517,443	12/09/2004	Yusuke Shimizu	05905-0179	8650

22852 7590 04/03/2007
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EXAMINER

EPSHTEYN, ALEXANDER

ART UNIT	PAPER NUMBER
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3714

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/03/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/517,443

Applicant(s)

SHIMIZU ET AL.

Examiner

Alex Epshteyn

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 December 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 11, 12 and 15-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 11, 12 and 15-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>1/5/07, 10/3/06</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 18 and 20-22 are rejected under 35 U.S.C. 102(e) as being anticipated by Benoy (US Patent 6,896,618).

In regards to claim 18, Benoy teaches of a game system comprising a game machine and a server device connected to the game machine via a network in which a player plays a game such as a typical casino game which involves paying a play fee (1: 20-34). The player tracking unit on the game machine comprises a terminal device in which a player inputs a character message and identification information for identifying a player (10: 60-68) and the information is transmitted to the server device via communication means (11: 8-36). The game machine further includes means for reading, via an interface, identification information for identifying a player recorded on an external memory medium and communication means for transmitting the identification information read by the reading means to the server device (10: 38-59). The server device comprises data management means for registering the character message and the identification information transmitted from the terminal device in

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association with each other in a database and searching the database based on the identification information received from the game machine and communication means for transmitting a character message associated with the identification information specified by the search to identify the player (16: 46-67 to 17: 1-5).

In regards to claim 20, the game system of Benoy includes memory means for storing and recording a plurality of game programs and game processing means for reading a specific game program that is selected on a condition of satisfying a prescribed requirement from among the programs stored in the memory means, and executing the programs in response to an input signal from an input means (3: 14-40). The gaming system also includes display means for displaying an image of the game and also to display accumulated points in the form of player tracking points or credit points (6: 50-68).

In regards to claim 21, the game system of Benoy includes memory means for storing and recording a plurality of game programs and game processing means for reading a specific game program that is selected on a condition of satisfying a prescribed requirement from among the programs stored in the memory means, and executing the programs in response to an input signal from an input means (3: 14-40). The gaming system also includes display means for displaying an image of the game and also to display the character message in response to an input signal from the input means, where the character message is the identification data of the player (6: 50-68 and 11: 14-18).

In regards to claim 22, Benoy teaches of a game system comprising a game machine and a server device connected to the game machine via a network in which a player plays a game such as a typical casino game which involves paying a play fee (1: 20-34). The player tracking unit on the game machine comprises a terminal device in which a player inputs a character message and identification information for identifying a player (10: 60-68) and the information is transmitted to the server device via communication means (11: 8-36). The game machine further includes means for reading, via an interface, identification information for identifying a player recorded on an external memory medium and communication means for transmitting the identification information read by the reading means to the server device (10: 38-59). The server device comprises data management means for registering the character message and the identification information transmitted from the terminal device in association with each other in a database and searching the database based on the identification information received from the game machine and communication means for transmitting a character message associated with the identification information specified by the search to identify the player (16: 46-67 to 17: 1-5). The arcade game machine receives, using the communication means, the character message transmitted from the server device, and the game processing means executes game processing and makes the display means display the received character message at a time predetermined by the program (6: 50-67).

Claim Rejections - 35 USC § 103

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The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Benoy.

The game system of Benoy includes memory means for storing and recording a plurality of game programs and game processing means for reading a specific game program that is selected on a condition of satisfying a prescribed requirement from among the programs stored in the memory means, and executing the programs in response to an input signal from an input means (3: 14-40). If the result of the player's game play is a preset special game result, such as well known in the art, invoking a special prize as Benoy teaches (11: 23-48), it is obvious to one skilled in the art that display means can display information received in the character message such as player identification in the awarding of the prize or the prize redemption characteristics.

Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Benoy and further in view of Hedges et al. (US Patent 4,339,798).

In regards to claim 11, Benoy teaches of a game system comprising a game machine and a server device connected to the game machine via a network, wherein the game machine comprises an external interface configured such that an external memory medium is detachably attached thereto (3: 1-13). The game system includes an ID generating means for generating an ID for uniquely identifying an external

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memory medium attached to the external interface (3: 3-8. The gaming system further includes means for generating an access code corresponding to the ID (16: 10-45), where the access code corresponds to a signature or biometric information of the player and is visually identifiable to the game player. It would be obvious to one skilled in the art that such access code information such as a photo ID or a signature of the game player could be printed on the external memory medium to further identify the player after the access code is generated. The gaming machine establishes a connection with the server device via a network and the server device comprises data management for managing the ID and access code in association with one another, authenticating the game player in accordance with the access code, and upon authentication of the game player, providing the game player with a network service (10: 60-67 and 11: 1-7).

Benoy does not explicitly teach of recording the generated ID in a magnetic data recording area provided in the external memory medium but instead teaches of transferring the ID to a network server. Hedges teaches of a gaming system that establishes player accounts for a credit system (8: 7-29). In the system of Hedges, a identification number is established for a player which is then recorded on a magnetic card. It would be obvious for one skilled in the art to incorporate the teachings of Hedges into the system of Benoy to incorporate recording the new generated identification number produced by the system of Benoy into the magnetic card to introduce a new identification parameter. This would eliminate the need to search for all data on the server as the data will be automatically presented on the magnetic card.

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This in turn would speed up the process of retrieving player account information and increase turn around times on gaming machines.

In regards to claim 16, the game system comprises image display means for displaying an image (3: 14-30). The server device comprises a database (5: 53-65). The data management authenticates the game player in accordance with the access code entered from a terminal device connected to the server device via a network, and upon authentication of the game player, stores a character message entered from the terminal device in the database, and also sends the character message to the game machine when the game player plays a game at the game machine, and the game machine displays the character message received from the server device on the image display (27: 17-46).

In regards to claim 17, the external medium stores a portion of information to be used for game processing and the server device stores information to be used for game processing and wherein the game machine, if connectable with the server device via a network, obtains all the information to be used for game processing from the server device to perform game processing (5: 53-67 and 6: 1-19).

Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Benoy et al. in view of Hedges and further in view of Beach et al. (US Patent 6,116,402).

Benoy in view of Hedges teach of using a serial number read from a program server such as the game system server or the game machine to encode a magnetic card with loyalty program registration information. While Benoy in view of Hedges does

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not explicitly teach of using time information as part of the serial number, Benoy does teach of using time information for various functions on the gaming machine (11: 8-20). Beach, however, teaches of a system that encodes vouchers that are in the form of magnetic cards with time and machine location information (9: 20-27). Beach discusses that the reason to do this is for security purposes and to be able to encode a large number of unique information cards. It would be obvious for one skilled in the art at the time the invention was made to have modified the teachings of Benoy in view of Hedges and incorporate the teachings of Beach to allow the tracking of timing as Benoy teaches to be used to define the serial numbers used to encode the player identification cards so that a large number of unique ranges of card information could be encoded in the system.

Response to Arguments

Applicant's arguments with respect to claims 11, 12, 16, and 17 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

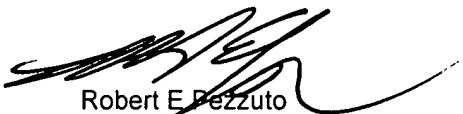
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alex Epshteyn whose telephone number is 571-272-5561. The examiner can normally be reached on M-F 8 - 4:30.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bob Pezzuto can be reached on 571-272-6996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AE



Robert E. Pezzuto
Supervisory Patent Examiner
Art Unit 3714